

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

VANDENBERG & SONS FURNITURE,)	
INC. a Michigan corporation, individually and)	
as the representative of a class of similarly-)	
situated persons,)	
)	
Plaintiff,)	
)	Civil Action No: 1:15-cv-01255
v.)	
)	Hon. Gordon J. Quist
ALLIANCE FUNDING GROUP,)	
)	Magistrate Judge Ray Kent
Defendant.)	

**ORDER PRELIMINARILY APPROVING
SETTLEMENT OF THE PREVIOUSLY CERTIFIED CLASSES**

This matter coming before the Court on the “Agreed Motion for Preliminary Approval of Class Action Settlement and Notice to the Class” (the “Motion”), after review and consideration of the Parties’ Settlement Agreement and having been fully advised in the premises;

IT IS HEREBY ORDERED AND ADJUDGED AS FOLLOWS:

1. On January 22, 2021, this Court certified the following class:

Class A

All persons or entities identified in the WestFax opt-out list for Defendant, who were successful sent the same or similar fax as Exhibit A to the Complaint from December 3, 2011 to December 3, 2015.

(hereinafter referred to as the “Class”). Excluded from the Class are: (a) Defendant and its present and former officers, directors, shareholders, employees and their successors, assigns and legal representatives; (b) the Court and its officers, and (c) any persons or entities who timely and validly exclude themselves from the Class.

2. The Court previously appointed Plaintiff, Vandenberg & Sons Furniture, Inc. (“Plaintiff”), as the “Class Representative” and appointed Brian J. Wanca, Ross M. Good, Ryan M. Kelly and Wallace C. Solberg of Anderson + Wanca as “Class Counsel.”

3. Pursuant to Federal Rules of Civil Procedure 23, the settlement of this action, as embodied in the terms of the Settlement Agreement, is preliminarily approved.

4. The Settlement Agreement is incorporated by reference into this Order (with capitalized terms as set forth in the Settlement Agreement) and is hereby preliminarily adopted as an Order of this Court.

5. The Settlement Agreement proposes that a specific form of notice be sent to the Class by facsimile and if unsuccessful after three (3) attempts, by mail, and by maintaining a settlement website. The Court finds that such Notice satisfies the requirements of due process and Federal Rules of Civil Procedure 23. The plan for Notice is approved and adopted. The Court orders that Class Counsel provide the Notice to the Class as proposed in the Settlement Agreement. The Court approves the form of the Notice as contained in Exhibit 2 to the Settlement Agreement. The Court also approves Class-Settlement.com as the Class Administrator.

6. The Court hereby sets deadlines and dates for the acts and events set forth in the Settlement Agreement and directs the Parties to incorporate the deadlines and dates into the Notice to the Class:

(a) Class Counsel shall ensure The Notice shall be sent or attempted to be sent via facsimile on or before **January 4, 2022**, and with respect to those Class members that notice was not successfully sent by facsimile after three attempts, by U.S. Mail assuming a street address may be reasonably found;

(b) Requests by any Class member to opt out of the settlement must be submitted to the Class Administrator on or before **February 16, 2022**, or be forever barred;

7. Objections, including supporting memoranda, shall be filed in this Court and postmarked and served on Class Counsel and Defendant's counsel, on or before **April 6, 2022**, or be forever barred; and

8. The final approval hearing, set forth in the Class Notice, is hereby scheduled for **April 27, 2022, at 2:00 p.m. in 499 Federal Bldg, 110 Michigan St NW Grand Rapids, MI 49503**. The final approval hearing may be continued to another later date without further notice to the Class.

9. All memoranda, affidavits, declarations, and other evidence in support of the request for final approval of the Settlement Agreement and Class Counsel's request for approval of attorneys' fees and costs and the Named Plaintiff's awards shall be filed on or before **April 13, 2022**.

SO ORDERED this 21st day of December, 2021.

/s/ Gordon J. Quist

GORDON J. QUIST
UNITED STATES DISTRICT JUDGE